

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGEL VERA CAMPOS,

Defendant.

11-CR-00109-RMP

PRELIMINARY ORDER OF
FORFEITURE

IT IS HEREBY ORDERED THAT:

As a result of Defendant Angel Vera Campos's December 2, 2011, guilty plea, ECF No. 59, to Counts 2, 3, 4, 5 and 6 of the Second Superseding Indictment, ECF No. 42, for which the United States sought forfeiture pursuant to 21 U.S.C. § 853 and/or 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), Defendant shall forfeit to the United States any property obtained, directly or indirectly, as a result of the offenses to which Defendant pleaded guilty or any property used or intended to be used to commit such offenses..

The Court has determined, based on the Defendant's plea agreement, that the following assets are subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), and that the United States has established the requisite nexus between such assets described below, and the offenses to which Defendant pleaded guilty:

(a) \$23,850 cash;

(b) A Charles Daly 9mm caliber pistol, serial # HPM0416; and,

(c) Fifty-five rounds of ammunition of varying manufacture.

1 Upon the entry of this Order, the United States Attorney General (or a
2 designee) is authorized to seize the above-listed assets subject to forfeiture,
3 whether held by the defendant or by a third party, and to conduct any discovery
4 proper in identifying, locating or disposing of the property subject to forfeiture, in
5 accordance with Fed. R. Crim. P. 32.2(b)(3).

6 Upon entry of this Order, the United States is authorized to commence any
7 applicable proceeding to comply with statutes governing third party rights,
8 including giving notice of this Order.

9 The United States shall publish notice of the order and its intent to dispose
10 of the property in such a manner as the United States Attorney General may direct.
11 The United States may also, to the extent practicable, provide written notice to any
12 person known to have an alleged interest in the property listed above. Any person,
13 other than the above-named Defendant, asserting a legal interest in the above-
14 listed property may, within sixty days of the first date of internet posting of notice,
15 or by the date indicated on direct notice, if sent, whichever is earlier, petition the
16 court for a hearing without a jury to adjudicate the validity of his alleged interest
17 in the above-listed forfeited assets and for an amendment of the order of forfeiture,
18 pursuant to 21 U.S.C. § 853(n), as incorporated by 28 U.S.C. § 2461(c).

19 Any petition filed by a third party asserting an interest in the above-listed
20 forfeited assets shall be signed by the petitioner under penalty of perjury and shall
21 set forth the nature and extent of the petitioner's right, title, or interest in said
22 property, the time and circumstances of the petitioner's acquisition of the right,
23 title or interest in said assets, and any additional facts supporting the petitioner's
24 claim and the relief sought.

25 Pursuant to Fed. R. Crim. P. 32.2(b)(4), this Preliminary Order of Forfeiture
26 is final as to the Defendant at the time of sentencing, and is made part of the
27 sentence and included in the judgment. If no third party files a timely claim, this
28

1 Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P.
2 32.2(c)(2).

3 After the disposition of any motion filed under Fed. R. Crim. P.
4 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in
5 accordance with the Federal Rules of Civil Procedure upon a showing that such
6 discovery is necessary or desirable to resolve factual issues.

7 The United States shall have clear title to the above-listed assets following
8 the Court's disposition of all third-party interests, or, if none, following the
9 expiration of the period provided in 21 U.S.C. § 853(n)(2), as incorporated by 28
10 U.S.C. § 2461(c), for the filing of third party petitions.

11 The Court shall retain jurisdiction to enforce this Order, and to amend it as
12 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

13 ORDERED this 1st day of March 2012.
14
15

16 s/ Rosanna Malouf Peterson
17 ROSANNA MALOUF PETERSON
18 Chief United States District Judge
19
20
21
22
23
24
25
26
27
28